

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SOO LINE RAILROAD CO.)	
d/b/a CANADIAN PACIFIC RAILWAY)	
)	
Plaintiff,)	
)	Civil Action No. 08-CV-1813
v.)	Judge Der-Yeghiayan
)	Magistrate Judge Cox
)	
BROTHERHOOD OF MAINTENANCE OF WAY)	
EMPLOYEES DIVISION OF THE INTERNATIONAL)	
BROTHERHOOD OF TEAMSTERS)	
)	
Defendant.)	
)	

CORRECTED
UNOPPOSED MOTION FOR POSTPONEMENT OF STATUS HEARING
AND STATEMENT IN SUPPORT THEREOF

The Brotherhood of Maintenance of Way Employees Division/IBT (“BMWED ” or “Union”) hereby moves the Court for a postponement of the status hearing currently scheduled for August 27, 2008 to the week of September 15, 2008. BMWED respectfully requests this postponement because its lead counsel, Richard S. Edelman is scheduled to attend a settlement conference in Indianapolis on September 27, 2008 in a bankruptcy case (*ATA Airlines*, Case No. 08-03675-BHL); the settlement conference will involve multiple parties and cannot be rescheduled. Additionally, Mr. Edelman will be in New Orleans on September 2, 2008 for oral argument in *Burlington Northern Santa Fe Ry v. BMWED* (5th Cir. No. 07-11251), and will be participating in a mediation ordered by the Third Circuit on the morning of September 8, 2008 in *Opsatnik v Norfolk Southern Ry. and*

Brotherhood of Locomotive Engineers and Trainmen, (3rd Cir. No. 08-2177); Mr. Edelman is also unavailable on September 12 because of a medical appointment that has already been rescheduled; and local counsel is unavailable the week of September 8. BMWED therefore requests that the status hearing in this case be rescheduled for the week of September 15, 2008.

Counsel for BMWED has contacted counsel for plaintiff Soo Line Railroad Co. ("Soo"). Soo, and counsel for the Soo has authorized counsel for BMWED to represent that the Soo does not object to this postponement.

For all the foregoing reasons, BMWED respectfully requests that this motion be granted and that the status hearing scheduled for August 27 be postponed and rescheduled on a date during the week of September 15, 2008.

Respectfully submitted,

Of Counsel:
William A. Bon, Esq.
General Counsel
Brotherhood of Maintenance
Of Way Employees Division/IBT
20300 Civic Center Dr. # 320
Southfield, MI 48076-4169
(248) 948-1010

Richard S. Edelman
O'Donnell, Schwartz & Anderson, P.C.
1300 L Street, N.W., Suite 1200
Washington, DC 20005
Telephone: (202) 898-1707
Facsimile: (202) 682-9726
REdelman@odsaw.com

s/ William L. Phillips
William L. Phillips
Attorney at Law
100 N. LaSalle St. Suite 1605
Chicago, IL 60602
Telephone: (847) 644-1901
Facsimile: (312) 332-9595
bill@wlphillips.com

August 6, 2008

Attorneys for Plaintiff Brotherhood of Maintenance of Way Employees Division/IBT

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2008, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this document through the Court's system.

s/ William L. Phillips